

REMARKS

Claims 1-45 are pending in which claims 19-26 and 36-43 are withdrawn from further consideration. In the Office Action, claims 1-18, 27-35 and 44-45 were rejected under 35 U.S.C. §102(e) as being anticipated by Freedman et al. (“Freedman”, US 2002/0002475).

Claims 19-26 and 36-43 were subject to a restriction requirement that was treated as an election without traverse and were withdrawn from further consideration. Applicant respectfully requests that if claim 1 is ultimately allowed, since claims 19-26 and 36-43 depend upon claim 1 and thus require all the limitations of claim 1, the restriction requirement be withdrawn and that claims 19-26 and 36-43 be rejoined and fully examined for patentability in accordance with 37 CFR §1.104.

Applicant respectfully traverses the §102(e) rejection of claims 1-18, 27-35 and 44-45 as being anticipated by Freedman.

Claim 1 recites a method of facilitating the claims and repair process for an insured person comprising collecting accident information *at birth* of an accident involving a vehicle that gets damaged. The term “birth” is described in the application as filed (page 3, lines 2-5) as referring to “the accident site” and at “the moment an auto collision occurs and before the traditional insurance industry definition of the collision repair process.”

In contrast, Freedman shows in Figure 1 a step of “Full inspection of damaged vehicle” which is described in paragraph [0127] as occurring “once damaged vehicles arrive at the Aligned Provider locations.” Freedman defines an “Aligned Provider” in

paragraph [0014] as “reputable automobile repair companies” which “provide their repair services to policyholders at reduced rates.” And further, the Aligned Providers are described as handling “much of the vehicle maintenance responsibilities from *initial inspection* to warranted repair to the collection of deductibles” (emphasis added). In this manner, according to Freedman, the initial inspection of the damaged vehicle(s) does not occur at the birth of an accident, such as at the accident site, but instead does not occur until the vehicle(s) arrive at a repair shop, which is well after the birth of an accident.

Applicant respectfully submits, therefore, that claim 1 is allowable over Freedman. Claims 2-18, 27-35 and 44 are allowable as depending upon allowable claim 1. Applicant requests withdrawal of this rejection.

Further with respect to claims 4-6, Freedman does not show “communicating claim information *from the remote site to the insured person* via the mobile electronic data collection equipment” in which the mobile electronic data collection equipment (claim 3) retrieves and records accident information at the birth of the accident and which information is communicated to the remote site as recited in claim 4. Freedman discusses the use of a digital video camcorder (paragraph 121) for taking full-motion digital videos of the vehicle(s) (paragraph 128), but this is performed by the Aligned Provider well after the birth of the accident at a repair facility. Further, Freedman does not show providing “claim information” back to the insured via such video camcorders.

Further with respect to claim 6, Freedman does not show “providing a *preliminary claims estimate* to the insured person via the mobile electronic data collection equipment” (emphasis added).

Further with respect to claim 7, Freedman does not show distributing mobile electronic data collection equipment to *insured persons*. Instead, Freedman describes (paragraphs 119 - 122) supplying resources to its Aligned Providers, which are NOT the insured persons.

Further with respect to claim 11, Freedman does not show taking digital images of damaged vehicles and images associated with the scene of the accident including concomitant environmental conditions since Freedman describes initial inspection by the Aligned Providers at the repair shop rather than at the “scene of the accident including concomitant environmental conditions.”

Further with respect to claim 13, Freedman does not show mobile electronic data collection equipment incorporating a bar code scanner and including scanning a bar coded vehicle identification number of a damaged vehicle at the birth of an accident.

Further with respect to claims 16-18, Freedman does not show the electronic data collection equipment comprising a mapping system with electronic communication capability, and where collecting accident information comprises mapping the damaged vehicle as recited in claim 16. A video camcorder is NOT a mapping system and is not capable of mapping a damaged vehicle. As understood by one of ordinary skill in the art, a video camcorder is a two dimensional (2D) device whereas a mapping system is a three dimensional (3D) device. A 3D device provides substantially more information regarding the damage to the vehicle. A 2D device does not provide 3D damage information. Although the present invention is not limited to the particular embodiments shown and described in the application as filed, Figure 5 and description thereof (beginning page 11, line 5) show and describe a laser mapping system and method 500

for mapping the surface of the damaged automobile. A mapping system, for example, is able to obtain more accurate damage information from a damaged automobile than can be obtained from a video camcorder or the like, which is nothing more than a visual inspection method rather than a mapping system.

Further with respect to claim 17, Freedman does not show a laser mapping system.

Further with respect to claim 28, Freedman does not show dispatching a tow truck “to retrieve and deliver a repaired vehicle to the insured person” and “retrieving, by the dispatched tow truck, the replacement vehicle”. Although Freedman mentions additional services such as dispatching tow trucks (paragraph 132), such is not described for the purpose of delivering a repaired vehicle to the insured and retrieving the replacement vehicle as recited in claim 28.

Further with respect to claims 30-35, Freedman does not show providing a claims wizard at the remote site that operates as an expert system which uses new accident information and the aggregate damage and accident information to assist in damage assessment as recited in claim 30. At most Freedman a data storage system at paragraph 125 and automatically calculating current prices for parts and labor at paragraph 130, but Freedman does not describe using aggregate damage and accident information to assist in damage assessment.

Further with respect to claim 31, Freedman does not show employing similar-type vehicle information from the master database by the claims wizard.

Further with respect to claim 32, Freedman does not show employing similar-type accident information from the master database by the claims wizard.

Further with respect to claim 33, Freedman does not show providing wireless mobile electronic data collection equipment for availability at accident sites, using the mobile electronic data collection equipment to retrieve accident information and to transmit the accident information to the remote site, and *interactively cooperation* by the claims wizard with the wireless mobile electronic data collection equipment regarding particular data collection parameters.

Further with respect to claim 34, Freedman does not show the claims wizard transmitting instructions to the wireless mobile electronic data collection equipment to facilitate collecting any additional information regarding the accident to facilitate damage assessment.

Further with respect to claim 35, Freedman does not show the claims wizard *transmitting instructions to the wireless mobile electronic data collection equipment for taking digital images* of certain parts of the damaged vehicle. The video camcorders described in Freedman are not described as having any such capabilities.

Freedman does not show a claims process method employing a mapping system to map a vehicle to generate external damage information, and using the damage information in an attempt to assess complete vehicle damages for claim purposes as recited in claim 45. As previously described, Freedman discusses the use of a digital video camcorder (paragraph 121) for taking full-motion digital videos of the vehicle(s) (paragraph 128). A digital video camcorder is NOT a mapping system and is not capable of mapping a damaged vehicle as recited in claim 45. Although the present invention is

not limited to the particular embodiments shown and described in the application as filed, a laser mapping system and method 500 as described therein is capable of mapping the surface of the damaged automobile. A mapping system is able to obtain more accurate damage information from a damaged automobile than can be obtained from a video camcorder or the like, which is nothing more than a visual inspection method rather than a mapping system.

Applicant respectfully submits, therefore, that claim 45 is allowable over Freedman. Applicant requests withdrawal of this rejection.

CONCLUSION

Applicant respectfully submits that for the reasons recited above and for various other reasons, the rejections and objections have been overcome and should be withdrawn. Applicant respectfully submits therefore that the present application is in a condition for allowance and reconsideration of the claims is respectfully requested. Should this response be considered inadequate or non-responsive for any reason, or should the Examiner have any questions, comments or suggestions that would expedite the prosecution of the present case to allowance, Applicants' undersigned representative earnestly requests a telephone conference at (512) 295-8050.

Respectfully submitted,

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